IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTEENTH DAY OF MAY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 11327 of 2005

Between:

Smt. Shaik Himji, W/o. Shaik Johnj Saheb,
Nadikudi Village, Dachepalli Mandal, Guntur District.

..... PETITIONER

AND

1 The Joint Collector and Additional District, Magistrate, Guntur.
2 The Revenue Divisional Officer, Narsaraopet, Guntur District.
3 The Mandal Revenue Officer, Dachepalli, Guntur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ Order or Direction more particularly one in the nature of WRIT OF MANMDAMUS, to declare the action of the respondent No.1 in not passing any orders on the stay petition filed along with the appeal on 5-5-2005 as arbitrary, illegal, unjust and consequently set aside the proceedings of the 2nd Respondent bearing Rc.No. 633/05-B dt. 10-4-2005 and to grant such other relief or reliefs as this Hon'ble Court deems fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.A.R.K.MURTHY

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court, at the admission stage, made the following :

THE HONOURABLE SRI JUSTICE K.C.BHANU

WRIT PETITION NO : 11327 of 2005

ORDER:

Inasmuch as not passing any orders on the stay petition along with appeal dated 05-05-2005, the present writ petition has been filed.

2 . Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies, appearing on behalf of the respondents.

3 . The main grievance of the petitioner is that the 2nd respondent-Revenue Divisional Officer, Narsaraopet, Guntur District, issued proceedings dated 10-04-2005, suspending the authorization of the petitioner's dealer ship to the fair price shop. Aggrieved by the same, the petitioner filed an appeal before the 1st respondent-Joint Collector and Additional District Magistrate, Guntur. But the 1st respondent has not yet passed appropriate orders and kept pending the appeal filed by the petitioner.

4 . At this stage, appropriate decision has to be taken by the 1st respondent to dispose of the appeal itself filed by the petitioner. Hence, without going into the merits of the case, I dispose of the writ petition with certain direction.

5 . Accordingly, the writ petition is disposed of, directing the 1st respondent-Joint Collector, Krishna, Machilipatnam, to take appropriate decision on the appeal, dated 10-05-2005, filed by the petitioner, within a period of six weeks from the date of receipt of a copy of this order. No costs.

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May 17, 2005

Kvr

To

1 The Joint Collector and Additional District, Magistrate, Guntur.
2 The Revenue Divisional Officer, Narsaraopet, Guntur District.
3 The Mandal Revenue Officer, Dachepalli, Guntur District.

4. Two C.Cs. to the G.P. for Civil Supplies, High Court of A.P.,

Hyderabad (OUT)

5. Two C.D.Copies.